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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,577	08/15/2006	Paul Allen	NS-US055234	4736
22919 7590 07/12/2007 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			EXAMINER EDELL, JOSEPH F	
			ART UNIT 3636	PAPER NUMBER
			MAIL DATE 07/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,577	<b>Applicant(s)</b> ALLEN ET AL.	
	<b>Examiner</b> Joseph F. Edell	<b>Art Unit</b> 3636	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/14/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,768,827 to Musgrove.

Musgrove discloses a vehicle seat assembly that includes all the limitations recited in claim 1. Musgrove shows a vehicle seat assembly having a passenger seat (see Fig. 3) with a seat member 74 and a seat back 18, and a child seat assembly 14 with first and second child seat configurations (back 26 folded about pivot 28 and back 26 unfolded about pivot 28) and including seating and back rest parts 24,26 wherein the passenger seat member being configured to move between a first position in which the child seat assembly is hidden from view and a second position in which the child seat assembly is exposed to enable the first child seat configuration to be provided to seat a child passenger.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,109,686 to Fox.

Fox discloses a vehicle seat assembly that includes all the limitations recited in claim 1. Fox shows a vehicle seat assembly having a passenger seat (see Fig. 1) with a

Art Unit: 3636

seat member 102 and a seat back 104, and a child seat assembly 136 (see Fig. 3) with first and second child seat configurations (compare Fig. 2 and Fig. 3) and including seating and back rest parts 138, 140 wherein the passenger seat member being configured to move between a first position in which the child seat assembly is hidden from view and a second position in which the child seat assembly is exposed to enable the first child seat configuration to be provided to seat a child passenger.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by EP Publication No. 0 516 495 A1 to Trosseille.

Trosseille discloses a vehicle seat assembly that includes all the limitations recited in claim 1. Trosseille shows a vehicle seat assembly having a passenger seat (see Fig. 2) with a seat member 14 and a seat back 13, and a child seat assembly (see Fig. 3) with first and second child seat configurations (via movement of 25 and 26) and including seating and back rest parts wherein the seat member being configured to move between a first position in which the child seat assembly is hidden from view and a second position in which the child seat assembly is exposed to enable the first child seat configuration to be provided to seat a child passenger.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to vehicle seat assemblies:

Art Unit: 3636

U.S. Pat. No. 1,965,048 to Morris

U.S. Pat. No. 4,900,087 to Crisp

U.S. Pat. No. 5,121,964 to Fourrey et al.

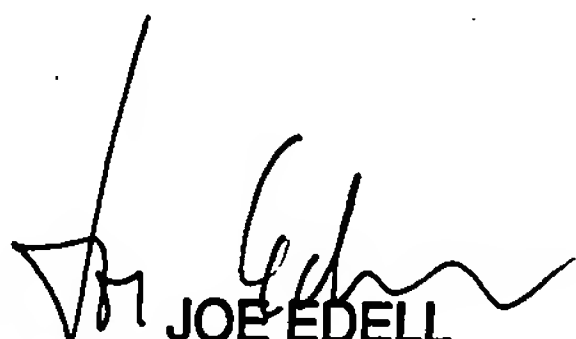
U.S. Pat. No. 6,488,333 B2 to Kim

U.S. Pat. No. 7,159,941 B2 to Thomas

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (571) 272-6858. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joe Edell  
July 10, 2007

  
JOE EDELL  
PRIMARY EXAMINER